

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
JOHN ANDRIES BAL, JR.,

Plaintiff,

-against-

ITEX CORPORATION, STEVEN WHITE,
JOHN WADE, ERIC BEST,
ROBERT BENSON, NYTO TRADE
INCORPORATED also known as NYTO TRADE
INCORPORATION, JOHN CASTORO, and
IZZY GARCIA,

Defendants.
----- X

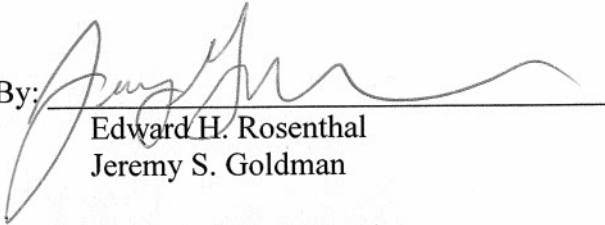
Case No.: 13 CV 6794 (CM)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the Declaration of Jeremy S. Goldman dated December 20, 2013 and the exhibits annexed thereto, all prior pleadings, and the accompanying Memorandum of Law, Defendants ITEX Corporation, Steven White, John Wade, Eric Best, and Robert Benson will move this Court, before the Honorable Colleen McMahon, at the United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be set by the Court, for an order pursuant to Federal Rule of Civil Procedure 12(e) requiring the Plaintiff John Andries Bal, Jr. to make a more definite statement.

Dated: New York, New York
December 20, 2013

FRANKFURT KURNIT KLEIN & SELZ, P.C.

By: 
Edward H. Rosenthal
Jeremy S. Goldman

488 Madison Avenue, 10th Floor
New York, New York 10022

Tel: (212) 980-0120

Fax: (212) 593-9175

Email: erosenthal@fkks.com
jgoldman@fkks.com

*Attorneys for Defendants
ITEX Corporation, Steven White, John Wade,
Eric Best, and Robert Benson*